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February 23, 2023

Via ECF

Hon. Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *K.A., et al. v. City of New York, et al.*, 16-cv-04936 (LTS) (KNF) (SDNY)

Your Honor:

I am a Senior Counsel in the Office of Hon. Sylvia O. Hinds-Radix, the Corporation Counsel of the City of New York, assigned to the defense of the above-referenced action on behalf of defendant City of New York (the "City"). I am writing to respectfully request, with the consent of plaintiffs' counsel, a two week extension of time for the City to respond to plaintiff's motion to amend the complaint (ECF No. 199-190), from February 27, 2023 to March 13, 2023, with the time for plaintiff's reply extended from March 6, 2023 to March 20, 2023. This is the first request for the extension of these deadlines. Defendant Sidney Wilson joins in this application.

On February 15, 2023, the Corizon defendants filed a suggestion of bankruptcy and on February 16, 2023, the Court stayed this action with respect to the Corizon defendants but not others, in effect severing the claims against Corizon from this action. ECF Nos. 191, 192. Proceeding without Corizon as a party risks prejudice to the City's rights and as well as probable duplicative litigation involving the bankruptcy estate. The City requires additional time to formulate its position with respect to a motion to stay this matter in light of the bankruptcy stay, and for the parties to exchange pre-motion letters regarding a stay motion, pursuant to the Court's Individual Practices. It would be wasteful for the parties to proceed with briefing on the motion to amend before the Court decides the City's motion for a stay. At the conclusion of the two week extension, after conferring with other counsel, the City will either seek additional relief or submit its opposition to the motion to amend.

Therefore, the City requests a two week extension of time to respond to plaintiff's motion to amend the complaint (ECF No. 199-190), from February 27, 2023 to March 13, 2023, with the time for plaintiff's reply extended from March 6, 2023 to March 20, 2023.

We thank the Court for its consideration of this matter.

Respectfully submitted,

Alan H. Scheiner /s/

Alan H. Scheiner

Senior Counsel

Special Federal Litigation Division

cc: All Counsel (via ECF)

The foregoing extension request is granted. The City's response shall be filed by March 13, 2023, and the Plaintiffs' reply shall be filed by March 20, 2023. DE 193 is resolved.

SO ORDERED.

2/23/2023

/s/ Laura Taylor Swain, Chief USDJ